महाराष्ट्र शासन

क्र. आयपीएस-३७१४/प्र.क्र.५/पोल-१
गृह विभाग, २ रा मजला, मंत्रालय,
मादाम कामा रोड, मुंबई-४०००३२.
तारीख: ९ जुलै, २०१५

केंद्र शासनाच्या कार्मिक आणि प्रशिक्षण विभाग, कार्मिक लोकगा-हाणी व निवृत्तीवेतन मंत्रालयाच्या क्रमांक ४०७/१२/२०१४-avd-IV(B), दिनांक ३०.०४.२०१५ चे अर्धशासकीय पत्र महाराष्ट्र राज्य संवर्गातील भारतीय पोलीस सेवेतील अधिकाऱ्यांसंदर्भात माहिती व योग्य त्या कार्यवाहीसाठी सोबत अग्रेषित.

अ.क्र.	अर्धशासकीय पत्र क्रमांक व दिनांक	**विषय**
१.	केंद्र शासनाच्या कार्मिक आणि प्रशिक्षण विभाग,कार्मिक लोकगा-हाणी व निवृत्तीवेतन मंत्रालय, क्रमांक ४०७/ १२/ २०१४-avd-IV(B), दिनांक ३०.०४.२०१५	Furnishing of information relating to assets and liabilities by Public Servants under Section 44 of the Lokpal and Lokayuktas Act,2013- regarding

सदर पृष्ठांकन महाराष्ट्र शासनाच्या www.maharashtra.gov.in या संकेतस्थळावर उपलब्ध करण्यात आला असून त्याचा संकेतांक २०१५०७०९१७५३१५३६२९ असा आहे. हा आदेश डिजीटल स्वाक्षरीने साक्षांकित करुन काढण्यात येत आहे.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने.

Charushila Devendra Chaudhary

Digitally signed by Charushila Devendra Chaudhary
DN: CN = Charushila Devendra Chaudhary, C = IN, S = Maharashtra, O = Government Of Maharashtra, OU = Under Secretary
Date: 2015.07.10 12:05:39 +05'30'

(चारुशीला चौधरी)
अवर सचिव, महाराष्ट्र शासन

प्रत,

१. महासंचालक व पोलीस महानिरीक्षक, महाराष्ट्र राज्य, मुंबई
२. मा.राज्यपाल यांचे सचिव, राजभवन, महाराष्ट्र राज्य, मुंबई
३. मा.मुख्यमंत्री यांचे प्रधान सचिव, मंत्रालय, मुंबई
४. मा.राज्यमंत्री (गृह)(शहरे/ग्रामीण) यांचे खाजगी सचिव, मंत्रालय, मुंबई
५. मुख्य सचिव यांचे उप सचिव, मंत्रालय, मुंबई
६. अपर मुख्य सचिव (गृह) यांचे वरिष्ठ स्वीय सहायक, मंत्रालय, मुंबई
७. महालेखापाल (लेखा व अनुज्ञेयता/ लेखा परीक्षा)-१, महाराष्ट्र, मुंबई.
८. महालेखापाल (लेखा व अनुज्ञेयता/ लेखा परीक्षा)-२, महाराष्ट्र, नागपूर.
९. सहाय्यक संचालक (भापोसे कक्ष), गृह विभाग, मंत्रालय, मुंबई.
१०. निवड नस्ती, पोल-१.

Jishnu Barua, IAS
Joint Secretary (S&Vig.-II)
Tel. : 011-23093591
Fax : 011-23092930



भारत सरकार
कार्मिक और प्रशिक्षण विभाग
कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय
नोर्थ ब्लाक, नई दिल्ली – 110001
GOVERNMENT OF INDIA
DEPARTMENT OF PERSONNEL & TRAINING
MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS
NORTH BLOCK, NEW DELHI - 110001

D.O.NO. 407/12/2014-avd-IV(B)

Dated 30th April, 2015

Dear Chief Secretary,

Please refer to my D.O. letter of even number dated 29/30th December, 2014 regarding furnishing of information relating to assets and liabilities by Public Servants under Section 44 of the Lokapl and Lokayuktas Act,2013 and forwarding therewith copies of Government of India Notifications dated 26th December,2014.

2. In this regard, I am now forwarding herewith a copy, each of Government of India Notifications:-

i) Notification dated 27th April,2015,further amending the Lokpal and Lokayuktas (Removal of Difficulties) Order ,2014, extending the time limit for carrying out necessary changes in the relevant Conduct Rules relating to different services from eighteen months to twenty one months from the date on which the Lokpal and Lokayuktas Act,2013 came into force,(i.e. 16th January,2014).

ii) Notification dated 27th April,2015,further amending the Public Servants (Furnishing of Information and Annual Returns of Assets and Liabilities and the limits for exemption of assets in filing Returns) Amendment Rules,2014 extending the time limit for filing of revised returns by all the public servants from 30th April,2015 to 15th October,2015.

3. In view of the present amendments mentioned above, the Annual Returns of Assets and Liabilities under the Lokpal and Lokayuktas Act, 2013, for the years 2014 and 2015 (which were to be filed by 30th April 2015 and 31st July 2015, respectively) may be filed **on or before 15th October, 2015.**

4. I request that the contents of these amendments may be brought to the notice of all the All India Service Officers working in connection with the affairs of the State Government, for compliance by them. It is presumed that all the preparatory steps for the purpose are in place as already requested in para 3 of the D.O. letter under reference.

Enclosures: As above

J.S.

ACS/Home
ACS/Services
Secy/Forest

Yours Sincerely,

(Jishnu Barua)
Tele. 23093591

All the Chief Secretaries of State Governments
Administrators of all the UTs



MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS

(Department of Personnel and Training)

ORDER

New Delhi, the 27th April, 2015

S.O. 1095(E).— Whereas the Central Government, in exercise of the powers conferred by sub-section (1) of Section 62 of the Lokpal and Lokayuktas Act, 2013 (1 of 2014) (hereinafter referred to as the said Act), made the Lokpal and Lokayuktas (Removal of Difficulties) Order, 2014 (hereinafter referred to as the said Order) with effect from the 15th February, 2014 for the purpose of carrying out modifications and amendments in all existing rules regulating the filing of property returns and making of declaration of assets by public servants so as to bring them in conformity with the provisions of the said Act, within a period not exceeding one hundred and eighty days from the date on which the provisions of the Lokpal and Lokayuktas Act, 2013 came into force, i.e., the 16th January, 2014;

And whereas, the Central Government initiated the process of modifications and amendments of all existing rules dealing with the subject matter of filing of annual returns and making of declaration of assets by public servants in consultation with various authorities, such as, the Comptroller and Auditor General of India, the Election Commission, the Lok Sabha Secretariat, the Rajya Sabha Secretariat, the Ministry of Law and Justice (Department of Legal Affairs

and Legislative Department), the Department of Financial Services, the Department of Public Enterprises and the State Governments;

And whereas, the comments and suggestions received from above said authorities had been under consideration of the Central Government and the completion of the procedure of finalising the rules under the said Act was likely to take some more time and the process of harmonisation of the existing rules with the provisions of the said Act and the rules made thereunder was taking time beyond the period notified under the said Order, and, therefore, the Central Government amended the said Order on 14th July, 2014, extending the said period of one hundred and eighty days to a period of two hundred and seventy days;

And whereas, the Central Government, after consulting the Ministries/Departments, including the Department of Financial Services, the Department of Public Enterprises, the Ministry of Law and Justice and the office of the Comptroller and Auditor General of India, made the Public Servants (Furnishing of Information and Annual Return of Assets and Liabilities and the Limits for Exemption of Assets in Filing Returns) Rules, 2014 (hereinafter referred to as the said rules), in exercise of the powers conferred by sub-section (1) read with clause (k) and clause (l) of sub-section (2) of section 59 read with section 44 and section 45 of the Lokpal and Lokayuktas Act, 2013, and notified the said rules on 14th July, 2014, prescribing therein the forms in which information and annual returns are to be filed by every public servant;

And whereas, the Central Government forwarded the copies of the notification containing the said rules to all Ministries and Departments of the Central Government requesting them to take the follow-up action in terms of the said rules, and for ensuring compliance with the said rules by all officers and staff in the respective Ministries, Departments and organisations and public sector undertakings under their control;

And whereas, the Central Government also forwarded the copies of the notification containing the said rules to the Chief Secretaries of all State Governments and Union territories, requesting them to take the follow-up action in terms of the said rules requiring all officers of the All India Services working in connection with the affairs of the State Governments and the officers and staff working in various organisations and public sector undertakings under their control so as to ensure due compliance with the said rules by all of them;

And whereas, concerns and apprehensions were raised by some Ministries and Departments, Organisations and individuals about the posting of every information provided by the public servant on public domain and the complexities involved in posting such details in the prescribed formats and also about exacerbation of vulnerabilities of the public servants after filing such details, specifically of movable property and their publication on the websites of respective Ministries and Departments giving rise to the apprehension of the safety and security of the members particularly children of the public servant;

And whereas, keeping in view the genuine concerns and apprehensions aforesaid, the Central Government constituted a Committee on 28th August, 2014 to simplify the forms and the process in which public servants shall make declaration of assets and liabilities as required under the said Act and the rules made thereunder and the Committee was required to examine the forms prescribed under the said rules and suggest changes therein as may be considered necessary within a period of forty-five days;

And whereas, the exercise of reviewing the existing rules relating to various services and posts with the provisions of the said Act and the rules made thereunder, the process of completion of follow-up action by various Ministries and Departments of the Central Government and the State Governments and the exercise of simplification of forms and the process in which public servants shall make declarations of assets and liabilities, was likely to take time beyond the period of two hundred and seventy days as specified in the said Order (as amended by the Order, dated 14th July, 2014), it became necessary to extend the said period of two hundred and seventy days and, accordingly, the

Central Government amended the said Order on 8th September, 2014, extending the said period of two hundred and seventy days to a period of three hundred and sixty days for the purposes of section 44 of the said Act;

And whereas, the Committee constituted by the Central Government on 28th August, 2014 to simplify the forms and the process in which public servants shall make declaration of assets and liabilities as required under the said Act and the rules made thereunder, submitted its first Report to the Government on 1st October, 2014, wherein the Committee suggested simplification of form prescribed for submission of statement regarding movable assets and the form prescribed for submission of statement regarding debts and liabilities by public servants, under the aforesaid rules;

And whereas, the processing of necessary amendments to the aforesaid rules so as to incorporate the revised forms for filing statement regarding movable properties and the statement regarding debts and liabilities and the circulation of the revised formats, after their due notification in the Official Gazette, to all Ministries and Departments of the Central Government and the Chief Secretaries of all State Governments and Union territory administrations and the further process of follow-up action in terms of the said rules requiring all officers of the All India Services working in connection with the affairs of the State Governments and the officers and staff working in various organisations and public sector undertakings under their control so as to ensure due compliance with the revised rules by all of them, could not be completed within the limit of three hundred and sixty days as contemplated in the principal order as amended by the order dated 8th September, 2014;

And whereas, the Central Government has decided to amend the Lokpal and Lokayuktas Act, 2013, to address various inconsistencies noticed in the said Act and, in that context, a need was also felt to amend the provisions of section 44 of the said Act so as to harmonise the provisions of the said section with the relevant provisions of the Representation of the People Act, 1951 and rules framed thereunder, the All India Services Act, 1951 and rules framed thereunder, the rules framed by the Central Government in pursuance of article 148 and article 309 of the Constitution and also various statutes setting up autonomous bodies and Public Sector Undertakings and the rules framed thereunder, and accordingly amended the said Order on 26th December, 2014, extending the said upto 30th April, 2015 for the purposes of section 44 of the said Act;

And whereas, the Lokpal and Lokayuktas and other related Law (Amendment) Bill, 2014 to amend the Lokpal and Lokayuktas Act, 2013, as introduced in the Lok Sabha on 18th December, stands referred to the Department related Standing Committee on Personnel, Public Grievances, Law and Justice for examination and Report;

And whereas the said Committee has held meetings on 8th January,2015, 3rd March, 2015, 8th April, 2015 and 15th April, 2015 with non-official stakeholders, where the Department of Personnel and Training was requested to attend and respond to the questions raised by Hon'ble Members, the detailed Questionnaires received from the Committee and also to the memoranda submitted by the various stakeholders to the Committee;

And whereas, the proposed amendments which include amendment to the provisions of section 44, the exercise of aligning the existing rules and other statutory provisions with the Lokpal Act cannot be given effect to till the Bill is passed by Parliament after taking into consideration the recommendations of the Parliamentary Standing Committee;

And whereas, any action in the matter of harmonisation of rules can be taken only after the Committee presents its report to Parliament, consideration thereof by the Government and passing of the aforesaid amendment Bill by Parliament and accordingly the enforcement of the provisions of the Act is likely to take time; and hence it has become necessary to extend the said period of eighteen months to a period of twenty-one months, and the Central Government has accordingly decided to extend the period after taking into account the aforesaid factors;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 62 of the Lokpal and Lokayuktas Act, 2013, the Central Government hereby makes the following amendment further to amend the Lokpal and Lokayuktas (Removal of Difficulties) Order, 2014, namely:-

In the said Order, in paragraph 2, in sub-paragraph (1), for the words "within a period not exceeding eighteen months", the words "within a period not exceeding twenty-one months" shall be substituted.

[No. 407/12/2014-AVD-IV(B) I]

JISHNU BARUA, Jt. Secy.

Note.—The Lokpal and Lokayuktas (Removal of Difficulties) Order, 2014 was published in the Gazette of India, Extraordinary, vide notification number S.O. 409(E), dated the 15th February, 2014 and subsequently vide notifications number S.O. 1840(E) dated the 15th July, 2014, S.O. 2256(E) dated the 8th September, 2014 and S.O. 3272(E) dated the 26th December, 2014.

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लोकपाल सिंह

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS

(Department of Personnel and Training)

NOTIFICATION

New Delhi, the 27th April, 2015

G.S.R. 322(E).—In exercise of the powers conferred by sub-section (1) read with clause (k) and clause (l) of sub-section (2) of section 59, read with section 44 and section 45 of the Lokpal and Lokayuktas Act, 2013 (1 of 2014), the Central Government hereby makes the following rules further to amend the Public Servants (Furnishing of Information and Annual Return of Assets and Liabilities and the Limits for Exemption of Assets in Filing Returns) Rules, 2014, namely:—

1. (1) These rules may be called the Public Servants (Furnishing of Information and Annual Return of Assets and Liabilities and the Limits for Exemption of Assets in Filing Returns) Amendment Rules, 2015.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Public Servants (Furnishing of Information and Annual Return of Assets and Liabilities and the Limits for Exemption of Assets in Filing Returns) Rules, 2014, in rule 3, in the proviso to sub-rule (2), for the words "on or before the 30th day of April, 2015", the words "on or before the 15th day of October, 2015"shall be substituted.

[F. No. 407/12/2014-AVD-IV(B)]

JISHNU BARUA, Jt. Secy.

Note.—The principal rules were published in the Gazette of India, Extraordinary, vide notification number G.S.R. 501(E), dated the 14th July, 2014 and amended vide notification numbers G.S.R. 638(E), dated the 8th September, 2014 and G.S.R. 918(E), dated the 26th December, 2014.

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